

REMARKS

In response to the Office Action of May 5, 2002, claims 1, 4, 17, 18, 25, 30 and 37-40 have been amended; and claim 5 has been cancelled without prejudice. It is believed that these changes clarify the patentable subject matter of the present invention without introducing any new matter.

Applicant acknowledges Examiner's objection to claim 5 under 37 C.F.R. §1.75(c). Claim 5 has been cancelled without prejudice, thus obviating the rejection.

Applicant acknowledges Examiner's rejection of claims 4 and 30 under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claims 4 and 30 have been editorially amended to obviate the rejection.

Examiner states that claims 4, 17-19, 30, 37 and 38 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 4, 17-19, 30, 37 and 38 have been editorially amended to obviate the rejection.

Claims 1-4 and 6-40 are pending in this application. Reexamination and reconsideration of the application, as amended, are requested.

35 U.S.C. Sec. 102 Rejections

Claims 1, 2, 3, 5, 6, 25-29, and 40 were rejected under 35 U.S.C. § 102(b) as being anticipated by Kaufer et al. (DE 1704377). Applicant traverses the rejection.

Claim 1, 25, 39 and 40 recite, in part, "at least one portion of said at least one flexible hinged region is coated with a flexible sealant." Applicant submits that the Kaufer reference fails to teach or even suggest at least this feature. Examiner states that the Kaufer reference discloses "uncoated fibers between the rigid synthetic thermoplastic and is flexible and allows the hinged regions to rotate the rigid areas." Examiner relies upon Kaufer's discussion on page 7, third paragraph and figure 3, as teaching each and every element of claims 1, 25, 39 and 40. Applicant disagrees. Indeed, Applicant maintains that to the extent that Examiner's assessment of the reference is correct, this Kaufer device does not show or even suggest coating a flexible hinge region with a flexible sealant, as recited in Applicant's claims 1, 25, 39 and 40. Thus, for at least these reasons, Applicant submits that claims 1, 25, 39 and 40 are allowable over the Kaufer reference. Accordingly, Applicant requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(b), and allowance of claims 1, 25, 39 and 40.

Claims 2, 3 and 6 depend from and further define the patentably distinct claim 1. Thus, Applicant maintains that these claims are also in condition for allowance. Accordingly, Applicant requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(b), and allowance of claims 2, 3 and 6.

Claims 26-29 depend from and further define the patentably distinct claim 25. Thus, Applicant maintains that claims 26-29 are also in condition for allowance. Accordingly,

Applicant requests reconsideration and withdrawal of 35 U.S.C. § 102(b), and allowance of claims 26-29.

35 U.S.C. Sec. 103 Rejections

Claims 7-17, 20-24, and 31-36 are rejected under 35 U.S. C. § 103(a) as being unpatentable over Kaufer et al. (DE1704377). Applicant traverses the rejection.

Claims 7-17, 20-24 depend from and further define patentably distinct claim 1. Thus, Applicant maintains that these claims are also in condition for allowance, for at least the same reasons as discussed above with respect to claim 1. Accordingly, Applicant requests reconsideration and withdrawal of the rejection under 35 U.S. C. § 103(a), and allowance of claims 7-17, and 20-24.

Claims 31-36 depend from and further define the patentably distinct claim 25. Thus, Applicant maintains that claims 31-36 are also in condition for allowance for at least the reasons stated above with respect to claim 25. Accordingly, Applicant requests reconsideration and withdrawal of the rejection under 35 U.S. C. § 103(a), and allowance of claims 31-36.

In view of the foregoing amendments and remarks, Applicant respectfully requests the reconsideration and reexamination of this application and the timely allowance of the pending claims. Please direct any inquiries concerning this application to the undersigned attorney at 612-371-5375.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402 - 0903
(612) 332-5300

Date: 30 Sept 02

Mark J. DiPietro
Mark J. DiPietro
Reg. No. 28,707
MJP/MC:rlr

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims

4. (Amended Twice) A hinged, composite structure comprising a fabric embedded into a first rigid thermoplastic composite area and a second rigid thermoplastic composite area, said areas adjoining through at least one flexible hinged region permitting rotation of the first rigid area relative to the second rigid area about the hinged region, wherein the first rigid area and the second rigid area include bends at pre-determined distances from the hinged region, and wherein further at least one portion of said at least one flexible hinged region is coated with a flexible sealant.

4. (Amended Twice) The structure of claim 3, wherein said [thermoplastic coated fabric] linear region is coated on both sides by said flexible thermoplastic, said structure being free of rigid thermoplastic[,] within said at least one flexible winged region[s].

5. (Cancel)

17. (Amended Twice) The structure of claim 14, wherein said fabric [is a 10-30 pick fabric, containing] contains 10 to 30 bundles of fiber per each square inch.

18. (Amended Twice) The structure of claim 14 wherein said glass fabric further comprises a [thin] surface coating on said glass fiber to improve wetting.

25. (Amended Twice) A hinged profile comprising:

(a) a flexible fabric coated on both sides by rigid thermoplastic, the profile having at least two pre-determined, non-coplanar rigid composite areas, and

(b) at least one flexible hinged region joining said rigid areas, and wherein further at least one portion of said at least one flexible hinged region is coated with a flexible sealant.

30. (Amended Twice) The profile of claim 28 [29], wherein said linear[,] hinged regions are enclosed by a flexible thermoplastic.

37. (Amended Twice) The profile of claim 25, wherein said profile comprises a sill, a jamb, a track, or a sash, wherein [the sill, jamb, track or sash is part of the hinged profile.] said profile hinge conforms to and is inserted into said sill, jamb, track or sash.

38. (Amended Twice) The profile of claim 25, wherein said profile comprises a hollow trim profile, wherein [the hollow trim profile is part of the hinged profile.] said profile hinge conforms to and is inserted into said hollow trim profile.

39. (Amended Twice) An exterior corner profile comprising a fabric embedded into a first rigid thermoplastic composite area and a second rigid thermoplastic composite area, said areas adjoining through at least one flexible hinged region permitting rotation of the first rigid thermoplastic composite area relative to the second rigid thermoplastic composite area about the hinged region, wherein the profile is adapted to receive construction panels when the hinged

region is rotated through a clockwise bend angle of 90 degrees, and wherein further at least one portion of said at least one flexible hinged region is coated with a flexible sealant.

40. (Amended Twice) An interior corner profile comprising a fabric embedded into a first rigid thermoplastic composite area and a second rigid thermoplastic composite area, said areas adjoining through at least one flexible hinged region permitting rotation of the first rigid thermoplastic composite area relative to the second rigid thermoplastic composite area about the hinged region, wherein the profile is adapted to receive construction panels when the hinged region is rotated through a counter-clockwise bend angle of 90 degrees, and wherein further at least one portion of said at least one flexible hinged region is coated with a flexible sealant.